

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Dwight Xavier Jones, #45823,)	C/A No.: 5:25-cv-1278-SAL
a/k/a Dwight Xavier Jones, 66859-510,)	
a/k/a Dwight Xavier Jones, #1059-5401,)	
a/k/a Dwight X. Jones, a/k/a Dwight Jones,)	
)	
Plaintiff,)	ORDER
)	
v.)	
)	
)	
Federal Correctional Institution 2,)	
)	
Defendant.)	
)	


Dwight Xavier Jones (“Plaintiff”), proceeding pro se, filed this Complaint while incarcerated at Federal Correctional Institution in Butner, North Carolina. On March 5, 2025, the court issued an order informing Plaintiff his Complaint was not in proper form for service. [ECF No. 8.] The court directed Plaintiff to complete, sign, and return a standard complaint form, pay the filing fee or file a motion to proceed in forma pauperis, and to provide service documents for the defendant named in his case. *Id.* Plaintiff was warned that the failure to provide the necessary information within a specific time period may subject his case to dismissal. *Id.* The time for Plaintiff to file a response to the March 5 order has expired, and Plaintiff is presumed to have received the proper form order. However, Plaintiff has not submitted a response to the Court’s order.

It is well established that a district court has authority to dismiss a case for failure to prosecute. “The authority of a court to dismiss sua sponte for lack of prosecution has generally been considered an ‘inherent power,’ governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition

of cases.” *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–31 (1962). In addition to its inherent authority, this Court may also sua sponte dismiss a case for lack of prosecution under Fed. R. Civ. P. 41(b). *Id.* at 630. As Plaintiff has failed to prosecute this case and has failed to comply with an order of this Court, the case is dismissed without prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

April 25, 2025
Columbia, South Carolina


Sherri A. Lydon
United States District Judge

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within the time period set forth under Rules 3 and 4 of the Federal Rules of Appellate Procedure.